

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Devon David Lee

Docket No. 2:10-CR-25-1BO

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Devon David Lee, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. §§ 841(a)(1) and 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on September 21, 2011, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On September 26, 2013, pursuant to the government's motion pursuant to Rule 35, Lee's sentence was reduced to 96 months imprisonment. Thereafter, on January 21, 2015, upon the defendant's motion pursuant to 18 U.S.C. § 3582(c)(2), Lee's sentence was reduced to 77 months imprisonment.

Devon David Lee was released from custody on April 1, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 12, 2016, the undersigned probation officer received notification that a criminal records inquiry was conducted by authorities in Pasquotank/Camden County, North Carolina. Subsequent correspondence with officers from the Pasquotank County Sheriff's Office in Elizabeth City, North Carolina, revealed that the defendant was present at an identified drug house in the area when they executed a search warrant. The officers also advised that Lee attempted to escape over a fence when they arrived. Nonetheless, the defendant was quickly detained and no contraband or weapons were found on his person. As such, no charges resulted from the encounter. Notwithstanding, Lee was present at a residence where controlled substances were illegally sold, used, or distributed. Additionally, he failed to report the law enforcement contact to the undersigned probation officer within 72 hours. Although the defendant denied that he attempted to flee from officers, he acknowledged that he should not have been present at the drug house and that he should have reported the law enforcement contact to the probation officer. As a sanction for Lee's violations, we are respectfully recommending that he be placed in the home detention program for a period of 30 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: September 23, 2016

ORDER OF THE COURT

Considered and ordered this 23 day of September, 2016, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge